

REMARKS

This document is in response to the Final Office Action dated January 18, 2007.

In the final rejection, Claims 2, 3, 4/2, 4/3, 5/2, 5/3, 6/2, 6/3, 7/2, 7/3, 8/2, 8/3, 9/2, 9/3, 10/2, 10/3, 11/2, 11/3, 12/2, and 12/3 were all allowed.

Claims 1, 4/1, 5/1, 6/1, 7/1, 8/1, 9/1, 10/1, 11/1, and 12/1 were rejected.

Applicants again appreciate the personal interview conducted on September 7, 2006 with one of the Applicants, Jaime H. Cuadros and with Applicants' local attorney, Robert E. Goozner. A Statement of Substance of Interview was filed on September 27, 2006 and its contents are incorporated herein by reference.

Claim 1 has now been amended to set forth 1) that the container is non-metallic and expandable and 2) that the bore-rider stabilizer is folded forward over the projectile on assembly and reverses and deploys in flight. This amendment clearly defines a structure which is not disclosed or anticipated by Mangolds, Kamp et al or Adelman.

Claims 1, 7/1, 8/1 and 10/1 have been rejected over Mangolds in view of Kamp et al. This rejection is respectively traversed. Claim 1 had previously been amended to clearly point out that the bore-rider stabilizer is attached directly to the rear of the

projectile. The Examiner admits that Mangolds does not disclose a bore-rider stabilizer. Kamp et al discloses a projectile 10 having a lift element 11 of "corrugated construction" which expands to a cone shape during flight, due to the spinning of the projectile caused by the hot gases impinging upon a series of curved flanges, Col. 1, lines 51 to 68. The lift element is made of "thin spring steel or other suitable material", Col. 1, lines 69 to 72.

Claim 1 has been amended to set forth that the container is non-metallic and expandable. Support for this amendment is found in the description of the container at page 4, line 98 to page 5, line 109 of the specification, and also at page 6, line 149 to page 7, line 153 and page 14, lines 312 to 314.

Claim 1 has also been amended to set forth that the bore-rider stabilizer is folded forward over the projectile on assembly and reverses and deploys in flight. This points out that the bore-rider stabilizer is totally different than the lift element of Kamp et al, which is made of metal, is corrugated or has interleaved vanes, and is opened by the hot gases of a spinning projectile. Applicants' projectile does not spin. The lift element of Kamp et al cannot be folded forward because it is solid and made of metal, it simply expands to a cone shape.

Applicants' bore-rider stabilizer has two functions, it protects the projectile when it is folded forward (page 11, lines 243 to 248 and page 12, lines 265 to 273 and stabilizes flight after it deploys.

Referring to the rejection of claims 4/1, 5/1, 6/1, 9/1, 11/1 and 12/1, Adelman and Brunn have been discussed in detail in Applicants' prior amendment, incorporated herein by reference. They add nothing to Mangolds and Kamp et al, discussed above, to disclose the amended elements of claim 1.

In conclusion, none of the references cited, Mangolds, Kamp et al, Adelman or Brunn, either separately or in combination, suggests a separate bore-rider stabilizer attached directly to the rear of a projectile, folded forward over the projectile when loaded and deploying in flight.

In view of the amendments to Claim 1, and the arguments presented herein, Applicant urges that all of the claims are now in condition for allowance and early allowance is respectfully requested.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Sanford Astor (Reg. No. 20,748) at the

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telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Respectfully submitted,

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By 

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